

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

GREAT AMERICAN EMU COMPANY, )  
LLC, *doing business as AEC Consumer* )  
*Products* )  
Plaintiff, )

v. )

THE E. J. MCKERNAN CO, *doing* )  
*business as McKernan Packaging* )  
*Clearing House,* )  
Defendant )

**JUDGMENT**  
5:20-CV-161-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of plaintiff's motion to dismiss and defendant's motion for summary judgment.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered April 18, 2022, and for the reasons set forth more specifically therein, plaintiff's motion to dismiss is GRANTED. Plaintiffs' complaint is DISMISSED WITH PREJUDICE.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** in accordance with the court's orders entered April 18, 2022 and January 9, 2023 that the court awards defendant taxable costs under 28 U.S.C. § 1920 in the amount of \$152.70. Judgment is therefore entered in favor of defendant for costs in the amount of \$152.70.

**This Judgment Filed and Entered on January 9, 2023, and Copies To:**

John D. Wooten, IV / Charles A. Burke (via CM/ECF Notice of Electronic Filing)  
James K. Borcia / Kirsten Elena Small (via CM/ECF Notice of Electronic Filing)

January 9, 2023

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins  
(By) Sandra K. Collins, Deputy Clerk